

SPECIAL MEETING NORTH SMITHFIELD TOWN COUNCIL

NOVEMBER 2, 2015

KENDALL-DEAN SCHOOL AUDITORIUM

7:00 P.M.

The meeting began at 7:00 P.M. with the prayer and the pledge to the flag. Council members present were Ms. Alves, Mrs. Nadeau, Mr. Soly, Mr. Zwolenski and Mr. Boucher. Also in attendance were Town Administrator Hamilton and Town Solicitor Iglioizzi.

**PUBLIC HEARING ZONING ORDINANCE AMENDMENT SECTION 6.13
PARKING AND STORAGE OF CERTAIN VEHICLES**

MOTION by Mr. Zwolenski, seconded by Mr. Soly, and voted unanimously on a roll call vote to continue this public hearing to January 4, 2016 as the Ad Hoc Ordinance Review Committee is still in the process of reviewing it.

**PUBLIC HEARING ZONING ORDINANCE AMENDMENT SECTION 6.14
PARKING, STORAGE OR USE OF MAJOR RECREATIONAL
EQUIPMENT**

MOTION by Mr. Zwolenski, seconded by Mr. Soly, and voted unanimously on a roll call vote to continue this public hearing to January 4, 2016 as the Ad Hoc Ordinance Review Committee is still in the process of reviewing it.

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REPAIRS TO FORESTDALE SCHOOL HOUSE (LITTLE RED SCHOOLHOUSE)

Mrs. Elizabeth Faricy, a member of the North Smithfield Heritage Association, was present to express the need for a new set of stairs for both the Boys' Entrance and the Girls' Entrance in the front of the building. The Association has also determined that they need a Master Plan for the schoolhouse to set priorities to renovate, refurbish and historically modernize the building.

The two requests are 1.) New stairs - \$8,758 for each set for a total cost for the stairs of \$17,516. They have a \$1,500 grant from the RI Foundation/North Smithfield Ambulance Organization. 2.) Master Plan - \$6,500. They are in the process of applying for a \$6,500 grant from the RI Historical Preservation and Heritage Commission to cover the \$13,000 cost and the Commission will only match grants already received. The total request is \$24,016.

Ms. Hamilton also noted there were concerns about ADA compliance not only with the stairs but the bathroom as well.

MOTION by Mr. Zwolenski, seconded by Mrs. Nadeau, Ms. Alves, Mr. Soly and Mr. Boucher, and voted unanimously on a roll call vote to approve funding for stairs at the Forestdale School House in the amount of \$17,516. The funding will come from Contingency.

MOTION by Mr. Zwolenski, seconded by Mrs. Nadeau, Ms. Alves, Mr.

Soly and Mr. Boucher, and voted unanimously on a roll call vote to approve funding for a Master Plan in the amount of \$6,500. The funding will also come from Contingency.

PUBLIC HEARING ZONING ORDINANCE AMENDMENT SECTION 7.9 USE OF DUMPSTERS

Mr. Zwolenski read the proposed ordinance. He noted that this pertains to temporary residential dumpsters not commercial ones.

Mrs. Nadeau questioned the use of bagsters.

Mr. Soly felt charging fees could be cost prohibitive and result in dumping of items along the side of roads. He doesn't know if the town should be enacting an ordinance that is going to be used as a means of becoming involved in a neighborhood dispute.

Mr. Zwolenski commented that the town has a multiple decades problem of someone not cleaning up their yard and this hurts the value of property for neighbors as well as their quality of life.

Gary Ezovski of 88 North Main Street does not see the need for this ordinance. You cannot create a rule for every potential circumstance and there isn't enough staff to enforce all the ordinances the town already has.

MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted

unanimously on a roll call vote to amend the title to “Temporary Use of Dumpsters” and Paragraph (5) to read, “Exemptions. Land classified by the Town of North Smithfield Tax Assessor as Farm land or Forest land under The State of Rhode Island Farm, Forest and Open Space Act is exempt from Section 7.9 of the Code of Ordinances.”

MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted unanimously on a roll call vote to continue the public hearing to November 16, 2015.

WATER TAX APPEAL - P. MAGGIACOMO

Mr. Piero Maggiacomo, owner of an apartment house located at 2 Northwood Road, had received a water bill this past summer that was over two hundred percent higher than usual. Upon receipt of the bill Mr. Maggiacomo called the water department thinking there may be a leak. He also mentioned that the white needle on the meter was spinning like crazy.

Water Superintendent Russell Carpenter indicated the white needle on the water meter registers consumption and if it is spinning, water is running.

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Mr. Carpenter and his assistant, Jon MacDonald, met with Mr. Maggiacomo and his plumber at the residence. At that time the white needle was spinning at a much slower rate but it was noted that the tank of each toilet in each apartment was very clean and showed no water line.

It is the contention of Mr. Maggiacomo that the water meter was broken and reported erroneous consumption; however, he paid the bill (\$1,915.85) and submitted an appeal.

Mr. Carpenter had the meter tested and it came back as accurate. The meter testing agent stated if a meter is faulty, it normally slows down rather than jumping ahead.

Mr. Carpenter believes that one or more of the apartment building's toilets were leaking.

MOTION by Mr. Zwolenski, seconded by Mr. Boucher, Mrs. Nadeau and Ms. Alves, and voted unanimously on a roll call vote to install a new water meter as soon as possible at Mr. Maggiacomo's property.

Mr. Zwolenski also suggested that Mr. Carpenter or his assistant, if possible, monitor the meter for the next month or so.

EXECUTIVE SESSION

MOTION by Mr. Boucher, seconded by Mrs. Nadeau, and voted

unanimously on a roll call vote to enter into executive session at 8:12 P.M. pursuant to RIGL 42-46-5(A)(2) Sessions pertaining to collective bargaining or litigation or work sessions pertaining to collective bargaining or litigation to discuss 1.) Interjurisdictional Water and Wastewater Agreements with the City of Woonsocket and 2.) North Smithfield Solar PPA: Initial Review.

MOTION by Mr. Boucher, seconded by Mr. Soly, and voted unanimously on a roll call vote to come out of executive session at 9:50 P.M. and to seal the minutes. No motions were made and no votes were taken.

SOLAR POWER PURCHASE AGREEMENT - ENERGY DEVELOPMENT PARTNERS

Mr. Frank Epps explained his company is a renewable energy developer in the state of Rhode Island. The goal is to save municipal entities a significant amount of money for their energy use through a net metering program offered by the state of Rhode Island. Mr. Epps spoke about municipalities eventually owning streetlamps.

MOTION by Mr. Zwolenski, seconded by Mrs. Nadeau, and voted unanimously on a roll call vote to authorize the Town Administrator to execute the Solar Power Purchase Agreement with Energy Development Partners, LLC. With this authority the Administrator shall have the right to negotiate and approve the final power purchasing agreement terms, conditions or rate provided that the

agreed upon rate shall not exceed the current proposed rate of 12.5 cents per kilowatt hour with an annual escalation of two percent for a term of twenty-five years.

MOTION by Mr. Boucher, seconded by Mrs. Nadeau, and voted unanimously on a roll call vote at 9:57 P.M. to extend the meeting to 10:30 P.M.

SPEECH RECOGNITION SOFTWARE

MOTION by Mr. Boucher and seconded by Mrs. Nadeau to approve the purchase of Dragon Professional 13 speech recognition software at a cost of \$1,033.99.

Mrs. Nadeau had used this software in the past and, in her opinion, it was not very good. She noted that there are a number of applications that offer a program for free.

The motion and second were withdrawn.

MOTION by Mr. Boucher, seconded by Mr. Zwolenski, and voted unanimously on a roll call vote to continue this to November 16, 2015.

ABATEMENTS

MOTION by Mr. Zwolenski, seconded by Mr. Soly, and voted unanimously on a roll call vote to approve credits in the amount of \$2,752.68.

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CHARTER REVISIONS

Mr. Boucher believes there is a need to give townspeople a choice between a Town Manager and a Town Administrator.

Carol Drainville hoped that the question would be placed on a ballot when a larger number of voters would be more likely to vote.

MOTION by Mr. Boucher, seconded by Mr. Zwolenski, and voted 4 to 1 on a roll call vote (Ms. Alves voted no) to hold a public hearing on December 7, 2015.

APPOINTMENT TO JUVENILE HEARING BOARD

Ms. Hamilton appointed Robert Guernon of 74 Westwood Road. He will be completing a three-year term that expires December 1, 2017.

PUBLIC BUILDINGS IMPROVEMENT COMMITTEE BOND QUESTIONS

MOTION by Mrs. Nadeau, seconded by Mr. Zwolenski, and voted unanimously on a roll call vote to remove this from the agenda since she learned there doesn't need to be a vote on them.

PURCHASE OF ROAD SALT

This was continued to the meeting of November 16, 2015.

RESIGNATION OF ROBERT LAFLEUR FROM THE SCHOOL

COMMITTEE

MOTION by Mr. Zwolenski, seconded by Mrs. Nadeau, and voted unanimously on a roll call vote to accept Mr. Lafleur's letter of resignation dated October 27, 2015.

APPOINTMENT TO SCHOOL COMMITTEE

MOTION by Mr. Zwolenski and seconded by Ms. Alves to nominate James J. Lombardi IV to complete the term of Robert Lafleur.

MOTION by Mrs. Nadeau and seconded by Mr. Zwolenski to nominate George Hemond to complete the term of Robert Lafleur.

Roll call vote on Mr. Lombardi: Ms. Alves - yes; Mrs. Nadeau - no; Mr. Soly - yes; Mr. Zwolenski - yes; and Mr. Boucher - yes. The motion carried 4 to 1.

MOTION by Mr. Boucher, seconded by Mrs. Nadeau, and voted unanimously on a roll call vote at 10:30 P.M. to extend the meeting to 10:40 P.M.

FULL TIME ZONING OFFICER

Building Official Christopher Chianese asked the Council members to reconsider hiring a full-time zoning inspector. He believes savings will be realized by minimizing costly legal challenges that have occurred. A full-time person would allow the senior building official to conduct more thorough plan reviews and provide responses to

correspondence, complaints and requests. Mr. Chianese offered options and a method for possible funding.

In speaking with the former Building Inspector, Ms. Alves noted that he did not believe a full-time zoning officer was necessary.

Mr. Chianese noted that the former Building Inspector had substantially less experience.

MOTION by Mr. Zwolenski, seconded by Mr. Soly, and voted unanimously on a roll call vote to continue this discussion to November 16, 2015.

MOTION by Mr. Zwolenski, seconded by Mrs. Nadeau, and voted unanimously on a roll call vote at 10:42 P.M. to extend the meeting to 10:46 P.M.

RESIGNATION FROM BUDGET COMMITTEE - M. CLIFFORD

MOTION by Mr. Zwolenski, seconded by Mrs. Nadeau, and voted unanimously on a roll call vote to accept Mr. Clifford's resignation from the Budget Committee.

MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted unanimously on a roll call vote at 10:46 P.M. to extend the meeting to 10:51 P.M.

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APPOINTMENT TO BUDGET COMMITTEE - W. CASPER

MOTION by Mr. Boucher, seconded by Mr. Zwolenski, and voted unanimously on a roll call vote to appoint Walter Casper to the Budget Committee. This is a three-year term that expires December 1, 2015.

MOTION by Ms. Alves, seconded by Mr. Soly, and voted unanimously on an aye vote to adjourn at 10:47 P.M.

Respectfully submitted,

Debra A. Todd, Town Clerk